

**HERTFORDSHIRE COUNTY COUNCIL**

**CABINET**

**MONDAY 29 JANUARY 2001 AT 10.00 A.M.**

**EXECUTIVE COMMITTEE**

**MONDAY 29 JANUARY 2001 AT 2.15 PM**

Agenda Item  
No.

3a

**NEW REGIONAL PLANNING GUIDANCE FOR SOUTH EAST (RPG9)**

*Report of the Structure Plan Panel*

Chairman of the Panel: Mrs M Bayes

Officer contact: Julian Pitt, Forward Planning Unit (Tel 01992 555234)

Executive Member: I E M Tarry

**1. Purpose of the report**

- 1.1 To inform Cabinet about new Regional Planning Guidance for the South East (RPG9), to consider the extent to which this takes account of the County Council's representations on the Government's draft RPG9 published in March 2000, and to suggest matters about which further representations could be made to the Government in addition to the Council's response on the regional housing distribution.

**2. Summary**

- 2.1 The Government published 'Draft Revised' RPG9 for the South East on 18 December. This represents the final version in all respects **other than** the distribution of housing development. There is now a final round of consultation specifically on the housing distribution, with responses invited by 12 February. The consultation is the subject of a separate report of the Panel for this agenda item.
- 2.2 Copies of the Government's 'Draft Revised' RPG9 and accompanying public consultation documents on the regional housing distribution have been placed in the Members' Room.
- 2.3 The final RPG9 is not substantially different from the earlier draft which was published for consultation in March 2000 and on which the County Council made a number of representations. The main difference is to set a rate of housing development of 39,000 homes a year in the region as a whole outside London, at least until 2006, compared with 43,000 proposed in March. However the Government states that after 2006 it is likely to be necessary to plan for the higher figure of 43,000, subject to review under the new 'plan, monitor and manage' (PMM) approach.

### 3. Conclusion

- 3.1 This report addresses the issues raised in the County Council's previous representations on the Government's earlier Draft RPG9 published in March 2000. None of the Council's main objections to the Draft RPG9 have been fully addressed in the final version, particularly concerning the overall scale of housing development in the Region, affordable housing, Green Belt, parking policy and the continued identification of the London - Stansted - Cambridge corridor as a potential growth area.
- 3.2 Whilst the Government is only consulting on the housing distribution, the Panel recommends that the County Council's response should also:
- (i) emphasise its disappointment and concern that in preparing the final version of RPG9 the Government has failed to accept most of the Council's earlier representations on the March 2000 draft RPG9;
  - (ii) express particular concern that the Government has chosen to consult only on the housing distribution and not on its revised proposals for the linked issues of overall housing numbers and affordable housing;
  - (iii) regarding affordable housing, urge that:
    - in issuing the final form of RPG9 the Government must clarify that any failure to secure its proposed increase in the proportion of affordable housing should not lead to substitution with private market housing; and
    - recognition be given in RPG9 to the need to *reduce* total housing provision through the 'plan, monitor and manage' approach in the event of any significant under-provision of affordable housing.

## **1. Background**

- 1.1 SERPLAN published its *Consultation Draft Sustainable Development Strategy for the South East* in December 1998. A Public Examination followed in May 1999 and the Panel Report (the 'Crow Report') was published in October 1999. In March 2000 the Government consulted on 'Proposed Changes', which amounted to a complete redraft of SERPLAN's original proposals. The County Council's former Environment Committee considered the 'Proposed Changes' document and resolved on a response at its meeting on 23 May. In June the Government belatedly released a sustainability appraisal of the Proposed Changes. This was too late to inform the public consultation and the County Council made a further response on its concerns about the inadequacy of the appraisal.
- 1.2 On 18 December 2000 the Government published a document entitled '*Draft Revised Regional Planning Guidance for the South East (RPG9)*' together with a '*Summary of Responses to the [March] Public Consultation and Schedule of Further Changes*'. A covering letter from the Government Office for the South East invites further comment on only one policy, H2 on the Regional Housing Distribution.
- 1.3 As the Government is not consulting on any aspect of RPG9 other than Policy H2, the rest of 'Draft Revised' RPG9 is, it would seem, the final version.
- 1.4 Copies of 'Draft Revised' RPG9, the Government's accompanying 'Summary of Responses to the March 2000 Public Consultation & Schedule of Further Changes', and its covering letter explaining the current public consultation on the housing distribution have been placed in the Members' Room.
- 1.5 The closing date for responses to the consultation on the regional housing distribution is 12 February 2001. This consultation is the subject of a separate report of the Panel for this Cabinet agenda item.

## **2. Summary of new RPG9**

- 2.1 The latest 'Draft Revised' RPG9 is not substantively different from the 'Proposed Changes' version published in March 2000. (In this report the earlier 'Proposed Changes' version is hereafter referred to as the 'Draft RPG9'). The 'Further Changes' concern mainly editing and reordering of material to improve clarity, take account of new information and reflect changes in national policy.
- 2.2 The following paragraphs outline the extent to which the 'Further Changes' reflect the County Council's representations in May 2000 on the Government's Draft RPG9. In summary, the Council's representations have resulted in only relatively minor changes and none of its main objections have been resolved - particularly in regard to the scale of housing development, affordable housing, Green Belt, aspects of parking policy and identification of the London - Stansted - Cambridge corridor as a potential growth area.

### ***Overall structure & scope of RPG9***

- 2.3 The County Council objected to the structure and narrow scope of the Draft RPG9, and sought reinstatement of the broader framework for sustainability put forward in SERPLAN's original proposals. The overall structure of the Draft RPG9 is still broadly unaltered.

However the Government has responded by placing much more emphasis in the final version on taking forward a number of aspects of sustainability that are not directly land use-related.

### ***Green Belts (now Policy E3)***

- 2.4 The County Council sought deletion of reference to ‘local exceptional circumstances which justify a review of Green Belt boundaries’ and insertion of additional text stating ‘*local authorities will not need to plan any large scale Green Belt releases in the Region*’. However, the suggested change has not been made. Instead the following sentence has been added to the explanatory text of the final version:

*‘The Government does not believe that there is a regional case for reviewing the existing Green Belt boundaries, although it is recognised that where settlements are tightly constrained by the Green Belt, local circumstances may suggest the need for a review after urban capacity studies have been undertaken and the local authorities have considered all other alternative locations for development within their area’.*

- 2.5 HCC response went on to state that **if** Government sets an overall rate of housing development higher than that recommended by SERPLAN (and which, therefore, would be likely to require further Green Belt releases), then the relevant parts of RPG9 must state clearly and specifically where in the Region the Government would be prepared to endorse any releases. The recommended text has not been included in the final version.

### ***Housing - Overall Rate of Provision (Policy H1)***

- 2.6 The County Council objected to the Government’s proposed 43,000 annual rate of dwelling provision (albeit subject to ‘plan, monitor and manage’ approach, or PPM) in the Region outside London as too high. Instead, the Council continued to give support to the different approach and lower overall level of housing provision which SERPLAN Conference put forward in its original Draft RPG9 in 1998 and resolved to hold to at its Conference in June 2000. SERPLAN’s original ‘baseline’ figures equated to an annual average rate of provision of 33,300 over the same period 1996 to 2016, likewise subject to review under the PMM approach.
- 2.7 The Government has reduced the overall annual rate from 43,000 to 39,000 - the current level of actual housing development in the Region - at least until 2006. The reason given is that it acknowledges the practical difficulties identified by SERPLAN authorities in increasing the rate of housing provision from current levels to the proposed 43,000 dwellings a year before 2006. However, Nick Raynsford stated in the House on 18 December that ‘*after 2006 it is likely to be necessary to plan for the higher figure of 43,000*’, subject to review under the PMM approach.
- 2.8 It is of concern that the Government has chosen not to consult on the changes to its proposed overall rate of housing provision, particularly as this matter is inextricably inter-linked with distributional issues.

## ***Housing Distribution (Policy H2)***

- 2.9 This matter is considered in the accompanying report of the Panel for this Cabinet agenda item.

## ***Affordable Housing***

- 2.10 The County Council had sought:
- (a) removal of ‘low cost market housing’ from the definition of ‘affordable’; (The final version of RPG9 still explicitly includes this in the definition.)
  - (b) setting of regional policy target that at least 40% of total housing provision should be ‘affordable’, i.e. subsidised housing held in perpetuity by a social landlord, mainly for rent; (The final version still has only a ‘provisional regional indicator’ that 18,000 to 19,000 homes per annum should be ‘affordable’.)
  - (c) greater flexibility for district councils to set suitable site size ‘thresholds’ for negotiating with developers the provision of affordable housing, taking account of local needs and the likely availability of large sites. (The final version gives no more flexibility than in the Draft RPG9 which for urban areas near London allowed reduction of the threshold down to 15 dwellings - as in Inner London - if justified by local needs assessments.)
- 2.11 The ‘provisional regional indicator’ that 18,000 to 19,000 affordable homes should be completed annually in the Region outside London equates to about 47% of the 39,000 overall annual rate of provision. This ‘indicator’ appears to amount to an aspiration ‘target’ and as such can be supported, particularly in the context of helping to meet local housing needs for various categories of ‘key workers’.
- 2.12 The final version of RPG9 contains new text outlining the different financial and other steps that the Government is taking to support provision of more affordable housing. These include the new ‘Starter Home Initiative’. Paragraph 8.13 of the final version states that *‘this will help key workers in high demand, high price areas like London and the South East to buy their own homes, where they might otherwise have been priced out of the communities they serve’*. The new text also calls on local authorities (principally the districts, being the statutory housing authorities) to work in partnership on a range of initiatives to try to increase provision.
- 2.13 However, there remains doubt about whether the various new steps and initiatives will bring about the intended scale of increase in development of affordable housing. This a cause for considerable concern for another reason which the County Council raised in its representations on the Draft RPG9. At that stage the Council stated that without a significant increase in support for provision of affordable housing, any consequent over-provision of market housing would simply encourage higher in-migration into the SERPLAN counties from London and elsewhere outside the Region.
- 2.14 It will be important therefore, that in issuing the final form of RPG9 the Government clarifies that any failure to secure its proposed increase in the proportion of affordable housing should not lead to substitution with private market housing - with consequential encouragement of in-migration into counties surrounding London while local needs in these

areas go unmet. Moreover, recognition should be given in RPG9 to the need to reduce total housing provision through the 'plan, monitor and manage' approach in the event of any significant under-provision of affordable housing.

### ***Parking Strategy and Maximum Parking Standards (Policy T3)***

- 2.15 The County Council sought changes to Policy T3 in respect of:
- (a) obtaining commuted payments to support sustainable transport investment where a lower parking standard has been agreed than the relevant maximum standard;
  - (b) providing greater flexibility in business development parking standards in areas adjoining London;
  - (c) in regard to residential parking standards, not penalising people who live away from the parts of urban areas which are most accessible by passenger transport.
- 2.16 The Draft RPG9 has not been changed to satisfy the Council's representations in regard to (a) and (c) above. As regards business development parking standards, the higher end of the acceptable parking standard range outside London has been increased from 1:35m<sup>2</sup> in the Draft RPG9 to 1:30m<sup>2</sup> in the final version (i.e. allowing more parking spaces per employee). The change means that RPG is now consistent, in at least this particular respect, with the County Council's new Supplementary Planning Guidance on Car Parking that was considered at Cabinet on 18 December 2000.
- 2.17 However, it remains of concern that in respect of the relationship with areas adjoining Hertfordshire, the policy in RPG9 remains that authorities adjoining outer London Boroughs would normally be expected to adopt as a base-line a maximum business parking standard at, or close to, that which applies in the outer London Boroughs (1:100m<sup>2</sup>). This is considered insufficiently flexible to take account of local circumstances in parts of South Hertfordshire.

### ***London - Stansted - Cambridge Sub-Region***

- 2.18 HCC sought deletion of the whole of the text in Draft RPG9 dealing with the Stansted/M11 Corridor and, in consequence, removal of the 'Potential Growth Area (long term)' symbol shown on the Core Strategy map.
- 2.19 The proposals in relation to this 'Potential Growth Area' are still retained (now paras 12.66 - 68), albeit with some changes. The 'Stansted/M11 Corridor' is now renamed the 'London - Stansted - Cambridge Sub-Region'.
- 2.20 A bold type policy in the final version confirms that '*an inter-regional study should be undertaken to investigate what the nature, possible extent and location of future growth might be within the London-Stansted-Cambridge area*'.
- 2.21 Whereas the Draft RPG9 stated that '*the study will inform the preparation of unitary, structure and local plans and guide the strategies of the RDAs*', the final version now states that:

*‘The sub-regional study should inform the production of a sub-regional strategy. This in turn would need to be jointly agreed by ... the Regional Planning Body for the East of England to inform ... RPG for the East of England. It would also provide a context for the review of development plans and RDA strategies’.*

- 2.22 This ‘Potential Growth Area’ is still shown on the core strategy map and the symbol is no longer described in the key as ‘long term’. It would appear, therefore, that the Government regards potential growth in this area as similar in its timing as that for the other potential growth areas at Milton Keynes and Ashford.
- 2.23 However, the Potential Growth Area symbol now appears to be centred in the triangle between Chelmsford, Harlow and Braintree, whereas in the Draft RPG9 document the symbol was centred at Stansted, nearer to the Essex / Hertfordshire boundary. It is not clear if there is any significance in this apparently minor change to the core strategy map.
- 2.24 The County Council’s representations on the Draft RPG9 went on to state that **if** Government confirms its intention to go ahead with a study of the Corridor, then the study area should stretch to Cambridge and therefore include the relevant parts of South Cambridgeshire and have regard to the work on the Cambridge sub-region proposed in the RPG for East Anglia. This change has been made in the final version of RPG9.
- 2.25 The County Council’s representations also requested that **if** the study is to proceed, then Draft RPG9 should be amended to clarify that it would be led by a partnership of the relevant local authorities, not the Government Offices, regional planning bodies or RDAs with an interest in the corridor. The final version states that the study should be undertaken by the strategic planning authorities and the RDA’s in the study area, as well as the Mayor of London and the Regional Planning Body for the East of England, but does not indicate which organisation(s) should lead the study.

***All ‘Potential Growth Areas’ (Milton Keynes and Ashford as well as the London - Stansted - Cambridge Sub-Region)***

- 2.26 In June 2000 the County Council made a further representation in response to the late publication of a Sustainability Appraisal of the ‘Proposed Changes’ by Baker Associates, which was only made available on the day the public consultation ended. The County Council sought deletion of all text on all ‘Potential Growth Areas’ in RPG9.
- 2.27 The Council justified its objection on the grounds that the Government’s sustainability appraisal had failed to examine and compare different strategic options (in line with its own guidance on this matter in draft PPG11 on Regional Planning) for potential growth areas across the region as a whole, and therefore provided no grounds for the selection of any specific growth areas. The Council recommended that identification in RPG of any growth areas of regional significance should now be a matter for SERPLAN’s successor Regional Planning Bodies to take up.
- 2.28 The Government has not acted on the Council’s representation, as the final version of RPG9 still proposes Potential Growth Areas at Ashford, Milton Keynes and London - Stansted - Cambridge. Moreover, the Government’s summary of responses to the public consultation does not refer to the nature of this Council’s objection and states that the sustainability appraisal was in line with the advice in Draft PPG11.

### ***Priority Areas for Economic Regeneration (PAERs)***

- 2.29 The County Council sought amendment of a purple hatched notation on the core strategy and economic development diagrams in Draft RPG9 to correctly show the extent of the Lower Lea Valley PAER in Hertfordshire as:
- including all of Hoddesdon;
  - excluding all land north of Hoddesdon (Ware is not in the PAER); and
  - excluding all non-urban, Green Belt land west of Broxbourne/Hoddesdon.
- 2.30 The requested amendments have been made to these diagrams.
- 2.31 The County Council recommended that those New Towns in the region with similar problems to Harlow should also be designated as PAERs. This recommendation is not reflected in the final version of RPG9.
- 2.32 The County Council also sought stronger regional emphasis on PAERs as areas of economic opportunity for business and priority for infrastructure investment. SERPLAN's earlier representations (SERP600) recommended appropriate text for inclusion in the final version of RPG9, and this has been amended in places to take a more positive approach to individual PAERs.

### ***Environmental Strategy and the Countryside***

- 2.33 The County Council had sought:
- reference in Policy E1 to Listed Buildings, Listed Parks and Gardens and Listed Battlefields, especially Grade I and Grade II\*, which are of national importance;
  - reference in the section on 'Wider Countryside including Coastal and River Environment' to the majority of the historic environment (buildings, archaeological sites, parks and historic landscapes) which are not protected by national designations in Policy E1 and should be included within this section;
  - reference in Policy E4 to nationally and regionally important buildings, archaeological sites and landscapes not covered by Policy E1; and
  - reference in Paragraph 6.8 to the English Heritage programme of Historic Landscape Characterisation which is currently progressing in the region and which compliments the Natural Areas and Countryside Character programme.
  - reference in minerals policy M1 to guidance on archaeology contained within PPG 16, including Scheduled Ancient Monuments.
- 2.34 None of these recommendation have been reflected in the final version of RPG9.

### **3. Financial Implications**

- 3.1 Increased resources have already been budgeted for regional planning work. This should be sufficient, at least in the short term, to enable the County Council to participate fully in the jointly resourced and steered sub-regional studies which the new RPG9 and RPG6 for East Anglia call for - notably the forthcoming London - Stansted - Cambridge study and multi-modal transport studies.
- 3.2 In the longer term the new RPG requires local authorities to embark on a range of additional work. Much of this will be through partnership working and the work will include seeking to make progress on a number of non-land use aspects of sustainability (see para 2.3). Overall, therefore, the signs are that regional planning work will make increasing demands on local authority resources at both county and district levels.

#### ***Background material used by the author in compiling this report***

*A Sustainable Development Strategy for the South East,(SERP500) SERPLAN, December 1998  
Draft Regional Planning Guidance for the South East (RPG9), Government Office for the South East, March 2000*

*Draft RPG9 - The SERPLAN response to the Government's Proposed Changes (SERP600), June 2000*

*Draft RPG9 - Hertfordshire County Council's response, covering letter dated May 2000*

*Draft Revised RPG9 - Government Office for the South East, December 2000*